THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No.13920 of 2006

Dated: 17.07.2006

Between:

V. Siva Subba Rao, S/o Kotaiah, Driver, E.726130, R/o D.No. 5-284, Near Nancharamma Cheruvu, Mangalagiri, Guntur District.

.... PETITIONER

AND

The Regional Manager, APSRTC, Guntur Region, Guntur District and another.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No.13920 of 2006

Order:

The petitioner states that he has been appointed as Driver, on daily wage basis, in the month of December 1997, and alleges that several Drivers, who were appointed along with him and are juniors to him, have been regularized. He places reliance upon the order, dated 18.08.2004, passed by this Court in W.P. No. 16244 of 1999.

Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondents.

In ***Divisional Manager, APSRTC & others v. P. Lakshmoji Rao***[1], the Supreme Court dealt with the rights of the Conductors and Drivers, appointed on daily wage basis. After taking the various aspects into account, the Supreme Court directed that if any Conductors, who are junior to the respondent therein, in the relevant seniority list of the concerned Division or Region, have been extended the benefit of seniority and regularization, the Corporation shall extend the same benefit to the employees, who are seniors to those who are regularized. The judgment of the Supreme Court was followed by this Court, in W.P. No. 16244 of 1999.

In that view of the matter, the writ petition is disposed of, directing that in case any Drivers, who are appointed on daily wage basis along with the petitioner and are juniors to him, have been regularized, the same benefit shall be extended to the petitioner also. An order in this regard shall be passed, within two months from the date of receipt of a copy of this order. No costs.

N.V. RAMANA, J.

Date: 17.07.2006
Nsr/Ksr

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[1] 2004 (3) ALD 1 (SC)